



Ronai & Ronai, LLP

Attorneys at Law

The Ronai Building
34 Adea Street, Port Chester, New York 10573
Telephone (914) 824-4777

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Manhattan Office:
The Chrysler Building
405 Lexington Ave. 26th Fl.
New York, NY 10174
Telephone (212) 268-4777

VIA ECF

The Honorable Lorna G. Schofield
United States District Court
Southern District of New York
500 Pearl Street, Room 640
New York, NY 10007

Re: Tibor Kiss v. Clinton Green North, LLC, et al.
Docket No.: 17-cv-10029 (LGS)

Your Honor:

As you are aware, we represent plaintiff, Tibor Kiss, in the above referenced matter. Please allow this letter to serve as a status letter as per Your Honor's Order of August 29, 2019.

Defense Counsel, Timothy Parlin and Tracy Abatemarco, have conferred with their clients regarding private mediation and they do not wish to proceed with private mediation in this matter. Mr. Parlin and Mrs. Abatemarco have advised that their clients prefer utilizing the Magistrate Judge or a Court Appointed Mediator through the SDNY Mediation Program. As stated in court, Joseph Ruta, counsel for Third-Party Defendant, will attend, but is not willing to contribute to the cost of the mediation if it is private. Plaintiff would prefer private mediation, however, will agree to utilizing a Court Appointed Mediator through the SDNY Mediation Program.

Accordingly, we respectfully request a referral to the SDNY Mediation Program so that the parties may utilize a Court Appointed Mediator for this mediation.

Thank you for your attention to this matter.

RESPECTFULLY YOURS,

RONAI & RONAI, LLP
Attorneys for Plaintiff

Timothy Lavin
By: Timothy J. Lavin (TL6371)

cc: ALL PARTIES via ECF